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Attorneys for Plaintiffs, TED PENNINGTON, JR. and CHRISTINE PENNINGTON

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

IN RE: BEXTRA AND CELEBREX)	Case No. C-07-1747 CRB
MARKETING SALES PRACTICES AND)	MDL NO. 1699
PRODUCT LIABILITY LITIGATION)	District Judge: Charles R. Breyer
_____)	
TED PENNINGTON, JR., individually, and)	
CHRISTINE PENNINGTON, spouse,)	
)	STIPULATION AND ORDER OF
Plaintiffs,)	DISMISSAL WITH PREJUDICE
)	
vs.)	
)	
PFIZER, INC., PHARMACIA)	
CORPORATION, AND G.D. SEARLE LLC,)	
(FKA G.D. SEARLE & CO.),)	
Defendants.)	

Come now the Plaintiffs, Ted Pennington, Jr. and Christine Pennington, and Defendants, by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action **with prejudice** with each side bearing its own attorneys' fees and costs.

1 DATED: August 31, 2009

2 REICH & BINSTOCK, LLP

3
4 By: 

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12 Attorneys for Plaintiff

13 DATED: Oct. 22, 2009

DLA PIPER LLP (US)

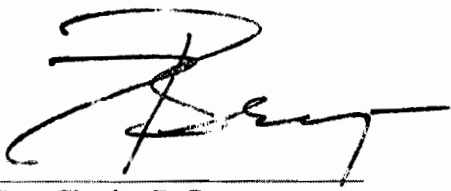
14
15 By: /s/

Matt Holian

16 Attorneys for Defendants

17
18
19 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,**
20 **IT IS SO ORDERED.**

21
22 Dated: **OCT 28 2009**

23 
24 Hon. Charles R. Breyer
25 United States District Court
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27
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DISMISSAL